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Part 1IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORKUSDC SDNY
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ELECTRONICALLY FILED
DOC #:
DATE FILED: 4/13/18

FASHION GROUP, LLC,

Plaintiff,

v.

JOHNNY'S SIGNATURE, INC., JOHNNY'S
SIGNATURE INT'L, INC., DEEPAK SAJNANI,
BILCO IMPORT & EXPORT, INC., BILCO
INDUSTRIES, INC., BURTON CHEN (a/k/a Billy
Chen, a/k/a William Chen, a/k/a Zhiquan Chen),
JERRY LAU and DOUBLE TOP
INTERNATIONAL, INC.

Defendants.

Case No. 1:18-cv-02959 (PGG)

ORDER TO
SHOW CAUSE

Upon reading the Affidavit of Josh Gelder, the Affirmation of Jonathan J. Faust and the exhibits annexed thereto (which includes the Complaint, with exhibits), and Plaintiff's accompanying Memorandum of Law, it is hereby:

ORDERED that Defendants Johnny's Signature, Inc., Johnny's Signature Int'l, Inc., Deepak Sajani, Bilco Import & Export, Inc., Bilco Industries, Inc., Burton Chen (a/k/a Billy Chen, a/k/a William Chen, a/k/a Zhiquan Chen), Jerry Lau and Double Top International, Inc. show cause before the Honorable Paul Gaudin in Courtroom 705 of the United States District Court, 40 Foley Square, New York, New York on April 16, 2018 at 11 o'clock in the A.M./~~P.M.~~, or as soon thereafter as counsel may be heard, why a preliminary injunction should not be issued, pursuant to Federal Rule of Civil Procedure 65, pending the final judgment in the above-captioned litigation:

(i) enjoining Defendants, individually and collectively, from importing, advertising, promoting, selling or otherwise commercializing garments and materials that incorrectly state, misidentify and/or are mislabeled as to their constituent fabric and/or textile fiber content;

(ii) directing Defendants, individually and collectively, to institute appropriate testing protocols to ensure that Defendants do not import, advertise, promote, sell or otherwise commercialize goods that incorrectly state, misidentify and/or are mislabeled as to their constituent fabric and/or textile fiber content; and

(iii) directing Defendants individually and collectively, to preserve and maintain any Defendants' remaining inventory of, and records regarding, sweaters, cardigans and related garments in such Defendant's possession custody or control which are labeled as consisting of a blend of 78% rayon fibers and 22% nylon fibers pending further testing and analysis by Plaintiff.

IT IS FURTHER ORDERED that, pending the hearing and determination of Plaintiff's instant application, Defendants are hereby:

(i) temporarily enjoined and restrained, individually and collectively, from importing, advertising, promoting, selling or otherwise commercializing garments and materials that incorrectly state, misidentify and/or are mislabeled as to their constituent fabric and/or textile fiber content;

(ii) directed, individually and collectively, to preserve and maintain any Defendants' remaining inventory of sweaters and cardigans in such Defendant's possession custody or control which are labeled as consisting of a blend of 78% rayon fibers and 22% nylon fibers pending further testing and analysis by Plaintiff; and

(iv) directed, individually and collectively, to identify the location and amount of any Defendants' remaining inventory of, and records regarding, sweaters, cardigans and related garments

in such Defendant's possession custody or control which are labeled as consisting of a blend of 78% rayon fibers and 22% nylon fibers.

(**ORDERED** that the bond requirement be waived; and it is further

ORDERED that service of a copy of this Order, together with the papers upon which it is granted, be made upon Defendants on or before 5:00 p.m., April 9, 2018, with service on the address listed with the Secretary of State being sufficient for any Defendant whose address is not otherwise known to Plaintiff; and it is further

ORDERED that all answering papers, if any, shall be served by overnight mail so as to be received no later than April 11, 2018; and reply papers, if any, shall be served by overnight mail so as to be received no later than April 12, 2018

Movant shall post \$1,000.00 in security.

Kimberly M. Wood

U.S.D.J.

Judge Kimberly Wood,

Part 1